

Sec. 23-212. Appeals.

Any customer who believes the provisions of this article have been applied in error may appeal in the following manner and sequence.

(1) An appeal of a stormwater service charge must be filed in writing with the city engineer within 30 days of the charge being mailed or delivered to the property owner and stating the reasons for the appeal. In the case of stormwater service charge appeals, the appeal shall include a survey prepared by a registered land surveyor or professional engineer containing information on the total property area, the impervious surface area, and any other features or conditions that influence its hydrologic response to rainfall events.

(2) Using information provided by the appellant, the city engineer (or his or her designee) shall conduct a technical review of the conditions on the property and respond to the appeal in writing within 30 days. In response to an appeal, the city engineer may adjust the stormwater service charge applicable to the property in conformance with the general purposes and intent of this article.

(3) A decision of the city engineer that is adverse to an appellant may be further appealed to the city manager or his or her designee within 30 days of the adverse decision. Notice of the appeal shall be delivered to the city manager or his or her designee by the appellant, stating the grounds for further appeal. The city manager or his or her designee shall issue a written decision on the appeal within 30 days. All decisions by the city manager or his or her designee shall be served on the property owner personally or by registered or certified mail, sent to the billing address of the property owner. All decisions of the city manager or his or her designee shall be final.

(Ord. No. 2002-029, 6-19-02)